U.S. Department of Homeland Security
500 C Street, SW, Mail Stop 3005
Washington, DC 20472

FEMA

SENT VIA EMAIL TO: 2828-24635001@REQUESTS.MUCKROCK.COM

Tom Nash
MuckRock News
Department MR 2828
P.O. Box 55819
Boston, Massachusetts 02205-5819

JUL 12 2013

Re: **FEMA (2013-FEFO-00810)**

Dear Mr. Nash:

This acknowledges receipt of your June 13, 2013, Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), and subsequently transferred to the Federal Emergency Management Agency (FEMA) on June 25, 2013. You are seeking records pertaining to a successful grant application submitted by the Seattle Police Department for the purchase of drones; and any information related to such funding; particularly how the funds were to be used. Your request was received in this office on June 25, 2013.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, the Department processes FOIA requests according to their order of receipt. Although FEMA's goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period. As your request seeks documents that will necessitate a thorough and wide-ranging search, DHS/FEMA will invoke a 10-day extension for your request, as allowed by Title 5 U.S.C. § 552(a)(6)(B). If you care to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner; however, there are currently 534 open requests ahead of yours.

You have requested a fee waiver. The DHS FOIA Regulations at 6 CFR § 5.11(k)(2), set forth six factors FEMA is required to evaluate in determining whether the applicable legal standard for a fee waiver has been met: (1) Whether the subject of the requested records concerns "the operations or activities of the government;" (2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities; (3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons; (4) Whether the contribution to public understanding of government operations or activities will be "significant;" (5) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and (6) Whether the magnitude of any identified commercial interest to the

requestor is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requestor.

Upon review of the subject matter of your request, and an evaluation of the six factors identified above, FEMA has determined that it will conditionally grant your request for a fee waiver. The fee waiver determination will be based upon a sampling of the responsive documents received from the various FEMA program offices as a result of the searches conducted in response to your FOIA request. You will be contacted before any fees are accrued. If upon review of these documents, FEMA determines that the disclosure of the information contained in those documents does not meet the factors permitting FEMA to waive the fees, then FEMA will at that time either deny your request for a fee waiver entirely or allow for a percentage reduction in the amount of the fees corresponding to the amount of relevant material found that meets the factors allowing for a fee waiver. In either case, FEMA will promptly notify you of its final decision regarding your request for a fee waiver and provide you with the responsive records as required by DHS regulations.

In the event that your fee waiver is denied, and you determine that you still want the records, we shall charge you for records in accordance with the DHS Interim FOIA regulations as they apply to media requestors. As a media requestor you will be charged 10-cents a page for duplication, although the first 100 pages are free in accordance with the DHS Interim FOIA regulations as they apply to the media requester category. More information concerning the FOIA and implementing DHS regulations is available on-line at: www.dhs.gov/xfoia/editorial_0318.shtm.

We have queried the appropriate program offices of FEMA for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the FOIA Specialist in our office will respond to your request expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number **FEMA 2013-FEFO-00810.**
Please refer to this identifier in any future correspondence. Should you have any questions or concerns, please contact FOIA Team lead, Antoinette Williams at (202) 646-4102 or electronically at Disclosure-Unit-TeamD@fema.dhs.gov.

Sincerely,

Terry Cochran
Chief, Disclosure Branch
Records Management Division
Mission Support Bureau

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